

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OMAR MALCOLM, KARVEN ALCINDOR, :
ANTHONY APONTE, SHIRLENE BLAIR, :
DERYCK CHARLES, LATIF CORNELIUS, : 20-cv-09641 (ALC)(SDA)
LANAE CURRY, JOSE DEJESUS, SHAKIYNA :
ESPIÑO, ROBERTO FERNANDEZ, VLAJEMY :
FRANCOIS, CRYSTAL GARNETT, CHANTEL :
GOUVEIA, APRIL HERNEY-KOSAKOWSKI, :
TAMELLE HILLIARD, YOLANDA HOLMES, :
MONIQUE JOHNSON, KEYSHA LEWIS, :
CAROLYN MARAJ, HUZIRAN MOZEB, ZHIHUI :
PU, DAVID RUDDOCK, MYRLINE ULYSSES, :
and BRICE WILLIAMS, individually and on :
behalf of all others similarly situated, :
: :
: :
: :
Plaintiffs, :
-against- :
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THE CITY OF NEW YORK,

Defendant.

[PROPOSED] ORDER

AND NOW, this _____ day of _____, 2024, upon consideration of Plaintiffs' Unopposed Motion for Approval of the Settlement Agreement, the Court grants the Motion and Orders as follows:

1. The Parties' Settlement Agreement is approved; it is a fair and reasonable resolution of a *bona fide* dispute under the Fair Labor Standards Act (29 U.S.C. §§ 201, *et seq.*);
2. For settlement purposes, the following Settlement Collective is certified as a collective pursuant to 29 U.S.C. § 216(b):

All current or former Assistant Deputy Wardens, Captains, and Correction Officers employed by the City of New York/Department of Corrections at Rikers Island at any point from November 17, 2020 to December 14, 2023.

3. The Plaintiffs set forth in Exhibit A to the Settlement Agreement and who have already submitted consent to join forms are deemed to be part of the Settlement Collective consistent with their consent to join forms;

4. Plaintiffs' unopposed request for attorneys' fees and costs is granted with costs in the amount of \$24,500 and expenses in the amount of \$2,058,500;

5. The Court approves the Notice and authorizes distribution of the Notice to the Settlement Collective;

6. The Court appoints Analytics Consulting, LLC as the third-party claims administrator and awards its costs of \$30,000;

7. The Court hereby enters final judgment in this case and dismisses it with prejudice in accordance with the terms of the Settlement Agreement. There being no reason to delay entry of this Final Judgment, the Clerk of the Court is ordered to enter this Final Judgment forthwith;

8. Without affecting the finality of this Final Judgment in any way, the Court reserves exclusive and continuing jurisdiction over this action, the named Plaintiffs, the certified Settlement Collective, and Defendant for purposes of supervising the implementation and enforcement of the Settlement Agreement, this Order, and all settlement administration matters.

IT IS SO ORDERED

Signed on _____, 2024.

Andrew L. Carter Jr., D.J.